

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE: BOSTON SCIENTIFIC CORP.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION**

MDL NO. 2326

UNOPPOSED MOTION FOR APPROVAL OF QUALIFIED SETTLEMENT FUND SUB-ACCOUNT

The Levensten Law Firm, P.C. ("Levensten"), as counsel for certain Plaintiffs in this MDL 2326, hereby moves this Court for an Order to aid in the efficient processing and administration of a confidential settlement agreement (the "MSA") between Levensten and Boston Scientific Corporation and its related and affiliated entities ("BSC") as defined in the MSA, (collectively, the "Parties") to resolve the claims of those certain Plaintiffs against BSC relating to BSC pelvic products¹:

On December 8, 2015, this Court entered an Order in MDL 2187, attached hereto as Exhibit A, creating the Levensten TVM Settlement Fund ("QSF"). The Order approved the use of a single qualified settlement fund for other Levensten pelvic mesh settlements, with separate Sub-Accounts to be created for each settlement with a different defendant. At this time, Levensten seeks from this Court an Order (1) approving the Amended and Restated Master Escrow Agreement (the "Master Escrow Agreement"), attached hereto as Exhibit B, which amends and restates the Escrow Agreement approved by the Court in the December 8, 2015 Order, and (2) approving the creation of the Levensten TVM Settlement Fund BSC Sub-Account (the "BSC Sub-Account") within the QSF. BSC has no objection.

For the foregoing reasons, the Parties respectfully request this Court to approve the Master Escrow Agreement, approve the establishment of the BSC Sub-Account as part of the QSF, and enter an Order in the form submitted with this Unopposed Motion.

¹ The Settlement Agreement has been executed by the Parties consistent with reports provided to this Court. The Settlement Agreement is not being filed with this Court because it contains confidential terms. Disclosing such confidential information would be inconsistent with this Court's stated goals to achieve a resolution of claims in this MDL through confidential negotiation and settlement.

Respectfully submitted,

/s/ Scott Levensten

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CERTIFICATE OF SERVICE

I hereby certify that on June 2, 2016, the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive services in this MDL.

/s/ Scott Levensten
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